

REMARKS

1. Summary of the Office Action

In the final Office Action mailed on October 27, 2009 the Examiner rejected claims 1-5 and 7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,944,859 (Bunger) in view of U.S. Pat. App. Pub. No. 2002/0147973 (Fordemwalt) and in further view of U.S. Patent No. 6,941,465 (Palekar) and rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and Palekar, and in further view of U.S. Pat. App. Pub. No. 2004/0015961 (Chefalas).

Additionally, the Examiner rejected claims 9, 10, 12, and 14-16 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of U.S. Pat. App. Pub. No. 2005/0060365 (Robinson), claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Robinson and in further view of Chefalas, and claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Robinson and in further view of Palekar.

Further, the Examiner rejected claims 17-21 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt, rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and in further view of Chefalas, and rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and in further view of Palekar.

Also, the Examiner rejected claims 25-29 and 31 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and in further view of U.S. Pat. No. 7,149,978 (Maffezzoni), rejected claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and Maffezzoni and in further view of Chefalas, and rejected claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and Maffezzoni and in further view of Palekar.

2. Summary of Interview Held December 17, 2009

Tom Loos for the Applicant interviewed Examiners Zhen and Wu regarding this application. The interview discussed the disclosure of Palekar and possible amendments to claims related to embodiments concerning network interface cards. No specific agreement was reached during the interview.

Applicant thanks the Examiners for sharing their time and expertise.

3. Summary of the Response

In this response, Applicant has amended claims 1, 3, 4, 9-17, and 25 and cancelled claims 24 and 32. Previously, claim 8 was cancelled. Now pending are claims 1-7, 9-23, and 25-31, of which claims 1, 9, 17, and 25 are independent and the remainder are dependent. These amendments are generally supported by the specification and specifically at least as indicated below.

4. Response to Rejections under 35 U.S.C. § 103

a. The proposed Bunger/Fordemwalt/Palekar combination does not support a rejection of claim 1 under 35 U.S.C. § 103, as the Bunger/Fordemwalt/Palekar combination does not disclose or suggest “at least one parameter sets a length of time that the host computer can access the network once access is granted” as recited in claim 1.

As mentioned above, the Examiner rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and further in view of Palekar. Applicant submits the proposed Bunger/Fordemwalt/Palekar combination does not support a rejection of claim 1 under 35 U.S.C. § 103.

Claim 1 recites, in part, “storing a second portion of network-specific data at the station that is not accessible by the host computing device, wherein the second portion of network-specific data comprises at least one parameter for controlling use of a network by the host computing device, and **wherein the at least one parameter controls a length of time the user is allowed to access the network once access is granted**” (emphasis added).

The Examiner acknowledged that “both Bunger and Fordemwalt do not disclose wherein the at least one parameter sets a length of time that the host computer can access the network once access is granted.” Office Action, p. 6 (bullet formatting removed).

The Examiner opined:

“Palekar discloses wherein the at least one parameter sets a length of time that the host computer can access the network once access is granted (col. 7 lines 2-6 “in the profile 312 of FIG. 3a, the action ‘Time.sub.—of.sub.—day==0900.1700’ is an authorization parameter that tells the NAS 66 to determine whether the time of the user’s login falls between 0900 and 1700, and if it does not, the NAS 66 is to deny access to the network. This authorization parameter may also be used as a condition for a policy statement as well.”

Office Action, p. 6 (italics and bullet formatting removed, underlining in original).

Applicant respectfully submits that Palekar does not disclose a parameter that controls a length of time the user is allowed to access a network **once access is granted**.

Palekar describes a “Time_of_day” parameter that indicates “what time of day access is permitted.” Palekar, col. 6, line 8. To illustrate, Palekar provides an example (quoted by the Examiner) that “the action ‘Time_of_day== 0900.1700’ is an authorization parameter that tells the NAS 66 to determine whether the time of the user’s login falls between 0900 and 1700, and if it does not, the NAS 66 is to deny access to the network.” Palekar, col. 7, lines 3-6 (also quoted by the Examiner above). Thus, in this example, Palekar indicates that a user can access the network from 0900 to 1700.

However, Palekar does not disclose or suggest setting “a length of time that the host computer can access the network **once access is granted**” as recited in claim 1 (emphasis added). In other words, while Palekar’s Time_of_day parameter may indicate when a user can access a network, Palekar does not disclose or suggest indicating how long the user can stay on the network once access has been granted.

Thus, Applicant submits that Palekar does not cure the acknowledged deficiencies of Bunger and Fordemwalt in failing to disclose or suggest the subject matter of claim 1.

b. The proposed Bunger/Fordemwalt/Palekar combination also does not support a rejection of amended claim 1, as claim 1 now recites “electrically connecting a network interface card with a host computing device, the network interface card comprising a memory with a device driver file and at least a first portion of network-specific data stored therein” and “in response to electrically connecting the network interface card, sending the device driver file and a first portion of network-specific data from the network interface card to the host computing device.”

Claim 1 also recites, in part, “electrically connecting a network interface card with a host computing device, the network interface card comprising a memory with a device driver file and at least a first portion of network-specific data stored therein” and “in response to electrically connecting the network interface card, sending the device driver file and a first portion of network-specific data from the network interface card to the host computing device.” Support for these amendments may be found generally throughout the specification, and specifically in at least ¶¶ 0009 and 0031-0032 of the specification.

Applicant submits that Bunger, Fordemwalt, and Palekar do not disclose or suggest at least these elements of claim 1. For at least these reasons, Applicant submits that the proposed

Bunger/Fordemwalt/Palekar combination does not support a rejection of claim 1 under 35 U.S.C. § 103.

c. The proposed Bunger/Robinson combination does not support a rejection of claim 9 under 35 U.S.C. § 103.

As mentioned above, claim 9 was rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Robinson. Applicant submits the proposed Bunger/Robinson combination does not support a rejection of amended claim 1 under 35 U.S.C. § 103.

Amended claim 9 is now directed to a “network interface card” and recites, in part, “wherein the network interface card is configured to electrically couple with a card slot of the host computing device, and wherein the host interface is configured to trigger transfer the device driver file and the first portion of network-specific data to the host computer upon electrically coupling with the host computer.” Support for these amendments may be found generally throughout the specification, and specifically in at least ¶¶ 0009 and 0031-0032 of the specification.

As discussed above for claim 1, Bunger does not disclose or suggest at least the subject matter of these features claim 1. In attempting to support a rejection of claim 9, the Examiner cited to ¶ 0053 of Robinson. *See* Office Action, pp. 10-11. ¶ 0053 of Robinson describes a “communication network context” as follows:

Communication network context is information about the communication mediums available to the service. Communication network context comprises network profile attributes including voice network type, data network type, data transfer speed, gateway type, data packet size, cost(s), security, authentication methods, transfer medium characteristics, for transfer media which may include, e.g., wired, wireless, fiber optic, etc. Additionally, network context may include situational information comprising network stability, bandwidth/data transfer rates, connection quality, transfer latencies, error rates, network load, signal strength, cost, Quality of Service, network protocols (e.g. IPv 4 , IPv 6 , and associated protocol stack layers (transport, middleware, and application layers, etc), etc. The communication network can include, but is not limited to, public or private computer networks (e.g. Internet, LANs, WANs, etc.), telecommunication infrastructure, or simple, dedicated private cable(s) or wire(s) linking two devices. The communication network context may also comprise information about network gateway and routing and transport devices such as routers, bridges, hubs, etc. The communication network context may also comprise information about transport policy enforcement devices, often called middle box communication

devices, (e.g. network address translators (NATs), firewalls, intrusion detection systems, buffer management systems, proxy servers, rendezvous servers, relay servers, etc.) and any other protocol transparent and non-transparent mechanisms affecting network operation and behavior.

Robinson, ¶ 0053. But Robinson is silent regarding a “network interface card [that] is configured to electrically couple with a card slot of the host computing device, and wherein the host interface is configured to trigger transfer the device driver file and the first portion of network-specific data to the host computer upon electrically coupling with the host computer” as recited in amended claim 9.

Thus, Applicant submits that Robinson does not cure the deficiencies of Bunger in failing to disclose or suggest the subject matter of amended claim 9. For at least these reasons, Applicant submits that the proposed Bunger/Robinson combination does not support a rejection of claim 9 under 35 U.S.C. § 103.

d. The remarks made above for claim 1 apply to claim 17 as well.

As mentioned above, the Examiner rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt. Amended claim 17 recites, in part, “a transceiver, configured ... for: storing a second portion of network-specific data, the second portion of network data comprising at least one parameter which specifies a time permitted to access a network once access is granted.”

As mentioned above in the context of claim 1, the Examiner acknowledged that neither Bunger nor Fordemwalt disclose “at least one parameter which specifies a time permitted to access a network once access is granted” as recited in amended claim 17. Therefore, Applicant submits that, for at least the reasons set forth for claim 1, the cited art does not support a rejection under 35 U.S.C. § 103 for claim 17.

e. Maffezzoni does not cure the deficiencies of acknowledged deficiencies of Bunger and Fordemwalt in failing to disclose “the second portion of network data comprising at least one parameter which specifies a time permitted to access the network once access to the network is granted” as recited in amended claim 25.

As mentioned above, the Examiner rejected claim 25 under 35 U.S.C. § 103(a) as being unpatentable over Bunger in view of Fordemwalt and in further view of Maffezzoni.

As amended, claim 25 recites, in part, “means for receiving a device driver file and a first portion of network-specific data from the station, wherein the station stores a second portion of network-specific data configured to control access to a network and configured to be unreadable by the means for receiving, the second portion of network data comprising at least one parameter which specifies a time permitted to access the network once access to the network is granted.”

As mentioned above in the context of claim 1, the Examiner acknowledged that Bunker and Fordemwalt do not disclose “the second portion of network data comprising at least one parameter which specifies a time permitted to access the network once access to the network is granted.” Applicant further submits that Maffezzoni does not cure this deficiency of Bunker and Fordemwalt.

Maffezzoni describes “[a] method for managing the configuration of a host adapter.... The method provides for the access and configuration of a host adapter from within the computer operating system. Icons and graphical user interfaces are displayed providing a plurality of configuration options and diagnostic tools to allow access, evaluation, management and testing of host adapters and peripheral devices connected thereto in a manner with the look and feel of any other computer system device.” Maffezzoni, Abstract. Maffezzoni further describes a “Control Panel GUI” used “to access system devices and configuration settings in the Windows® environment. Icons represent various system devices and parameters, and a user selects a particular icon to open a window or screen, another GUI, to access the configuration settings, parameters, and properties for the desired device or system parameter.” Maffezzoni, col. 6, lines 40-46.

In summary, Maffezzoni describes a host adaptor and use of a GUI to access system devices and configuration settings. However, Maffezzoni is silent regarding specifying “a time permitted to access a network once access to the network is granted” as recited in amended claim 25. Therefore, Applicant submits that Maffezzoni does not cure the acknowledged deficiencies of Bunker and Fordemwalt in failing to disclose the subject matter of amended claim 25. For at least these reasons, Applicant submits the cited art does not support a rejection under 35 U.S.C. § 103 for claim 25.

f. The remarks made above with respect to claims 1, 9, 17, and 25 apply to the dependent claims as well.

Further, Applicant submits that each of the dependent claims is allowable, for at least the reason that each dependent claim ultimately depends from an allowable base claim — either claim 1, 9, 17, or 25 — as shown above. Applicant therefore respectfully requests that the Examiner withdraw the rejections of claims 1-7 and 9-32 under 35 U.S.C. §§ 102 and 103.

5. Conclusion

In view of the foregoing, Applicant submits that all pending claims are allowable, and thus Applicant respectfully requests allowance of these claims. Should the Examiner wish to discuss this case, the Examiner is invited to call the undersigned at (312) 913-3338.

Respectfully submitted,
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